

2008 Individual Recreational Dredging Application

The application is a Four-Part Carbonless Form and may be obtained from your IDWR office.

Attached "SAMPLE" of this form is for reference only. Note that information required this year has been increased. Form must be complete and readable to be processed.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES (IDWR)
APPLICATION FOR A PERMIT TO ALTER A STREAM CHANNEL

2008 INDIVIDUAL RECREATIONAL DREDGING APPLICATION

This application will be returned if it is not accompanied by the required non-refundable filing fee.

Application for Operation of a Vacuum or Suction Dredge with nozzle diameter of 5 inches or less and rated at 15 HP or less; or operation of Power Sluice Equipment rated at 15 HP or less in a stream channel.
(Applicant is the individual who will operate the dredge nozzle or place material into the sluicing equipment)

1. Applicant Name _____ Telephone _____
(PRINT NAME)
Address _____ Email _____
(PRINT ADDRESS, CITY, STATE, ZIP)

2. Description of Equipment: nozzle size 5 inch diameter maximum, horsepower 15HP maximum, make, and model.
Power equipment not listed cannot be used under this permit.

Stream/Waterbody	Specific Location within Stream	Operating Dates

STREAM CHANNEL ALTERATIONS RULES (IDAPA 37.03.07 Rule 64) APPLICABLE TO RECREATIONAL DREDGING

64.01. Standards for Suction Dredges. The following shall apply only to uses of suction dredges with nozzle diameter of five (5) inches or less and rated at fifteen (15) HP or less and non-powered sluice equipment moving more than one-quarter (1/4) cubic yard per hour.

64.02. Operating Permit. A permit for the operation of a suction dredge may authorize the use of the dredge within a drainage basin or a large portion of a drainage basin except as otherwise determined by the Director.

63.03. Mechanized Equipment Prohibited Below High Water Mark. There shall be no use of mechanized equipment below the mean high water mark except for the dredge itself, and any life support system necessary to operate the dredge.

64.04. Operation of Dredge. The operation of the dredge shall be done in a manner so as to prevent the undercutting of streambanks.

64.07. Limitation of Mining Sites. Only one (1) mining site per hundred (100) linear feet of stream channel shall be worked at one (1) time unless waived by the Director.

I hereby certify that I have read Section 42-3803(a), Idaho Code, rules for Stream Channel Alterations pertaining to dredge mining and that I understand and agree to be governed by all the conditions set forth in the permit issued pursuant to Idaho Code and Rules for Stream Channel Alteration. The Departments of Water Resources, Lands, Fish and Game, and Environmental Quality, and U.S. Forest Service, BLM, and EPA, and other authorities with jurisdiction over mining and associated operations are hereby granted permission to come upon and inspect my mining operation. I also hereby certify that I have received, reviewed, have in my possession, and agree to operate in accordance with Attachments A, B, C, D, E, F, and G for the year ending March 31, 2009 in which this permit is valid.

For dredging activities involving streams or rivers on National Forest Systems Lands or for dredging activities adjacent to or crossing BLM Lands, I will submit a copy of this permit along with information concerning the location, timing, and duration to the appropriate National Forest Supervisor or BLM Field Office. This information will serve as a Notice of Intent of my activities as required under Forest Service Mining Regulations at 36 CFR 228A or BLM Mining Regulations, 43 CFR 3809. I understand that Forest Service or BLM approval of these activities may be required and that this permit will not be valid on lands managed by either the Forest Service or BLM until such approval is given.

Date: _____ Signature: _____

The 2008 IDWR Individual Recreational Dredging Application specifically prohibits the "take" of any species listed under the Federal Endangered Species Act. The term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in any such conduct. IDWR reserves the right to terminate dredging at any time that an endangered species is present or IDWR determines that impacts, cumulative or other wise, are having a detrimental effect on the habitat of an endangered species. Recreational Dredging activities do have an identified concern for "take" and the extent of the potential impact is dependent on time of year, location, and the nature of the dredging activity.

ACTION: Disapproved _____ Approved _____ Valid until March 31, 2009

Issued this _____ day of _____, 20____ Signed _____
Title _____

GENERAL PERMIT CONDITIONS

The permit holder is hereby authorized to recreational dredge in accordance with the conditions as set forth on this permit, in the attachments, and in the Rules for Stream Channel Alterations within the State of Idaho and in conformance with the attached list of streams, which may be dredged under this permit. The attachments labeled A, B, C, D, E, F, and G are hereby made a part of this permit.

1. This permit is not transferable. The permit holder must be the person operating the dredge nozzle or placing material into the sluicing equipment. The permit holder must have a copy of the permit in possession at all times work is being conducted.
2. This permit does not constitute any of the following:
 - a. An easement or right-of-way to trespass across or work upon property or mining claims belonging to others.
 - b. Other approvals that may be required by local, state or Federal government.
 - c. Acceptance by the Department of Water Resources of responsibility for damage to areas dredged or to adjacent properties.
3. Dredging shall be conducted in a manner such that the return water from the dredge does not significantly increase the turbidity of the stream below the dredging operation or have adverse impacts upon the stream channel, such as channelization.
4. Violation of this or any other condition of this permit may result in cancellation of this permit without further notice in accordance with Rule 45.02, Stream Channel Alteration Rules.
5. The permit holder is required to restore the stream bed and banks affected by the dredging, to its original condition, by removing all tailings piles, replacing all depressions, and revegetation of any disturbed riparian areas.
6. Use of equipment other than described in item 2 on the application, nozzle diameter in excess of 5 inches, or equipment capacity in excess of 15 horsepower is a violation of this permit.
7. All chemical or petroleum products shall be stored in a safe and secure location at all times. Fuel not stored and dispensed with an ANSI or UL approved safety container must be maintained not less than 100 feet from the mean high water mark.
8. This permit specifically prohibits the following activities:
 - a. Disturbance of any stream bank or undercutting of any stream bank areas.
 - b. Hydraulic mining operations of any type or introduction of material from outside the stream channel.
 - c. Damming of a stream channel for any reason.
 - d. Removal or relocation of boulders in the streambed or bank. Boulders may be moved to facilitate dredging, but they must be returned to their original location.
 - e. Deposition of discharge material that redirects the direction of flow of the stream current.
9. Equipment will comply with local noise regulations and will be modified to eliminate engine noise if operated within hearing distance of occupied developed campgrounds, state parks, or permanent residences. Equipment not modified to eliminate engine noise shall not be operated within 1000 feet of the above.
10. The dredge equipment shall not be used to move more than 2 cubic yards per hour as averaged over the period of operation for the entire day.
11. This permit does not authorize operation of the equipment for more than 45 days or parts thereof during the calendar year.

"CAUTION"

This permit addresses stream channel alteration considerations of recreational suction dredging. This permit grants no authority for trespass upon any land whether privately owned, state owned, or Federally owned and does not in any way supersede requirements for the filing and operation of a mining claim or substitution for any special use permits for other uses of state and Federal lands.

Pursuant to Section(s) 42-3809 & 42-1701B, Idaho Code, conviction for violation of this permit shall be punished by a fine of not less than \$150, nor more than \$500 per day per violation for criminal citation, Section 42-3809, or civil penalties not to exceed \$10,000, Section 42-1701B Idaho Code.

Appeals: If the applicant objects to the decision or to the conditions regarding this permit, the applicant may file a regular stream channel alteration application for permit using Form 3804-B.

SPECIAL PERMIT CONDITIONS

INSPECTION RECORD

Date _____	Inspected by _____	Comments _____
Date _____	Inspected by _____	Comments _____
Date _____	Inspected by _____	Comments _____
Date _____	Inspected by _____	Comments _____